

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PACIFIC COAST MARITIME, INC., a
Washington corporation, HARLEY
MARINE FINANCING, LLC, a
Delaware limited liability company,

Plaintiffs,

v.

EAST WEST SEAFOODS, LLC, a
Washington limited liability company, *in*
personam, and F/V PACIFIC PRODUCER,
O.N. 250021, her engines, appurtenances,
tackles, and gear, *in rem*,

Defendants.

IN ADMIRALTY

NO. 3:23-cv-05011-JCC

***EX PARTE* MOTION FOR
APPOINTMENT OF
SUBSTITUTE CUSTODIAN**

NOTE ON MOTION CALENDAR:
Monday, February 13, 2023

In accord with LAR 135, plaintiffs move the Court for the appointment of Marine Lenders Services, LLC as a substitute custodian of the vessel F/V PACIFIC PRODUCER, which has been approved by the United States Marshal as set forth below.

This motion is based upon the accompanying *Declaration of Buck W. Fowler, Jr.*

Plaintiffs agree to release the United States and the United States Marshal from any and all liability and responsibility arising out of the care and custody of the vessel from the time the marshal transfers possession of the vessel until the vessel is released or sold, and agrees to hold harmless and indemnify the United States and the United States Marshal from any and all claims whatsoever arising out of the substitute custodian's possession and

1 safekeeping of the vessel.

2
3 DATED this Monday, February 13, 2023.

4 /s/Thomas G. Waller

Thomas G. Waller, WSBA No. 22963

5 /s/Donald K. McLean

Donald K. McLean, WSBA No. 24158

6 Attorneys for Plaintiffs

7 Bauer Moynihan & Johnson LLP

2101 Fourth Avenue, Suite 2400

8 Seattle, WA 98121

Telephone: (206) 443-3400

9 Fax: (206) 448-9076

tgwaller@bmjlaw.com

10 dkmclean@bmjlaw.com